

FISCAL NOTE

SB 477 - HB 1254

March 5, 2004

SUMMARY OF BILL: Eliminates the limited spousal rape exception in criminal law. The bill provides that conduct that meets the definition of any sexual offense in which the victim is the legal spouse of the defendant would be charged, convicted, and sentenced as any other sexual offense.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$112,200/Incarceration*

Estimate assumes:

- One offender every other year convicted of rape, a Class B felony requiring 100% of sentence to be served elevated from spousal rape, a Class C felony.
- One offender every other year convicted of aggravated rape, a Class A felony requiring 100% of sentence to be served elevated from aggravated spousal rape, a Class B felony.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director